IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Mangiardi et al.

Confirmation No.: 4712

Appl No.:

10/585,430

Group Art Unit: Not Yet Assigned

Filed:

Not Yet Assigned

Examiner:

Not Yet Assigned

For:

IMPLANTABLE DEVICE DELIVERY SYSTEM

HANDLE AND METHOD OF USE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

LETTER IN RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Sir:

In reviewing the Notification of Missing Requirements for the above-referenced application, Applicant notes that the UPSTO has erroneously indicated that an additional claim fee of \$200.00 (small entity) for eight (8) claims in excess of twenty (20) is due. However, Applicant notes that the additional claim fee was paid by check at the time the U.S. National Phase application was filed on July 7, 2006. In addition, Applicant notes that the additional claims and additional claim fee were designated on the initial transmittal letter filed with the application, and the Commissioner was authorized to charge any additional fees to Deposit Account No. 50-2764. Therefore, Applicant has not included the \$200.00 additional claim fee as indicated on the Notification of Missing Requirements, since it is Applicant's belief that the aforementioned fees have been paid already.

Respectfully submitted,

Trent A. Kirk

Registration No. 54,223

Customer No. 37305 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Charlotte Office (704) 444-1000 Fax Charlotte Office (704) 444-1111